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December 9, 2020

**Via ECF**

Hon. Debra C. Freeman, U.S.D.J.  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

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**Re: Brinskelle v. Diacron USA, LLC, et al.**  
**Docket No. 1:20-cv-00316-PAE-DCF**

Dear Judge Freeman:

As Your Honor is aware, this firm represents Defendants, Diacron USA, LLC Ludovico Bongini, and Richard Nava (collectively "Appearing Defendants") in connection with the above referenced matter. We write to Your Honor today jointly with Robert D. Salaman, Esq., counsel for Plaintiff Louise Brinskelle ("Plaintiff") in accordance Your Honor's instruction at the conference on December 2, 2020 regarding the settlement agreement that has been placed before Your Honor for approval (the "Settlement Agreement"). [Dkt. No. 18-2].

Plaintiff and Appearing Defendant (the "Parties") hereby jointly request that the Settlement Agreement be approved, with the following modifications:

1. The Parties jointly request that Your Honor strike the confidentiality provision in the Settlement Agreement, as this is not a material term of the parties' agreement;
2. The Parties jointly request that Your Honor retain jurisdiction for the purposes of enforcing the settlement, should the need arise.

As Your Honor is aware, the Settlement Agreement preserves Answering Defendants' rights to pursue its cross-claims against co-Defendant Andreas Anrather (the "Cross-Claims"), who has not appeared in this matter. However, as Your Honor aptly noted, the claims upon which this Court's jurisdiction was based have been resolved, and the supplemental jurisdiction which permitted this Court to adjudicate the Cross-Claims no longer exists. Accordingly, Answering Defendants consent to Your Honor's dismissal of the Cross-Claims without prejudice, for lack of subject matter jurisdiction, allowing Answering Defendants to pursue Mr. Anrather in State Court.

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Should Your Honor have any questions, please do not hesitate to have Your Honor's staff contact us anytime. We appreciate Your Honor's consideration of the above proposed changes to the Settlement Agreement in this matter and assistance in helping the Parties to resolve their dispute.

Respectfully submitted,  
BECKER LLC

*/s/ Barry S. Crane*  
Barry S. Crane

cc: Robert D. Salaman, Esq. (via ECF)